

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JORGE MOCTEZUMA, ET AL.

v.

DION ISLAS, D/B/A ADVANCED  
ELECTRIC D/B/A/ MI SKYLER  
CONSTRUCTION AND CUSTOM HOMES

§ Civil Action No. 4:18-CV-342  
§ (Judge Mazzant/Judge Nowak)  
§  
§  
§

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On December 18, 2018, the report of the Magistrate Judge (Dkt. #38) was entered containing proposed findings of fact and recommendations that Plaintiff Pedro Hernandez's claims be dismissed pursuant to Federal Rule of Civil Procedure 41.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff Pedro Hernandez's claims are **DISMISSED WITHOUT PREJUDICE**. Plaintiffs Jesus Garcia and Jorge Moctezuma's claims against Defendant remain.

**IT IS SO ORDERED.**

**SIGNED this 28th day of January, 2019.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE